

Message Text

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ORIGIN NEA-10

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DRAFTED BY NEA:ARN:DAKORN:JFC

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INS - MR. O'BRIEN (SUBS.)

L/NEA - MR. HUFFMAN

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R 022135Z DEC 74

FM SECSTATE WASHDC

TO AMEMBASSY DAMASCUS

C O N F I D E N T I A L STATE 264260

E.O. 11652: GDS

TAGS: CGEN, PFOR, SY, US

SUBJECT: DEPARTURE OF MAMDOUH BARBOUR

1. FUGITIVE SYRIAN ARMY OFFICER MAMDOUH BARBOUR WHO HAS BEEN UNDER DETENTION IN THE U.S. SINCE MAY 1972 ON CHARGES OF ILLEGAL ENTRY DEPARTED U.S. ON DEC 1 FOR GUATEMALA WITH ONWARD VISAS FOR COSTA RICA, VENEZUELA AND THE DOMINICAN REPUBLIC. BARBOUR IS BEING SOUGHT BY SARG FOR DESERTION AND THEFT OF FUNDS. HE HAD BEEN FOUND DEPORTABLE BUT HAD FILED AN APPEAL OF DENIAL OF STAY OF DEPORTATION WHICH WAS AWAITING HEARING BY BOARD OF IMMIGRATION APPEALS, WITH FURTHER RECOURSE TO U. S. COURTS POSSIBLE IF THIS APPEAL WERE UNSUCCESSFUL. BARBOUR DEPARTED VOLUNTARILY AND AT HIS OWN EXPENSE UNDER EARLIER ISSUED ORDER OF DEPORTATION. THIS IS A CUSTOMARY PROCEDURE PROVIDED FOR IN USG REGULATIONS AND FREQUENTLY USED.

2. SINCE SYRIAN EMBASSY HAS BEEN IN CONTACT WITH DEPARTMENT AND INS OVER PAST TWO YEARS ABOUT BARBOUR CASE, WE HAVE INFORMED SYRIAN EMBASSY OF FOREGOING. YOU ARE AUTHORIZED IN YOUR DISCRETION TO DO LIKEWISE WITH FOREIGN MINISTRY.

3. FYI. WHILE SYRIAN EMBASSY OFFICER (AMBASSADOR WAS
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OUT OF TOWN) DID NOT COMMENT OTHER THAN TO THANK US FOR

INFORMATION ON BARBOUR'S DESTINATION, WE KNOW SYRIANS WANTED TO HAVE HIM DEPORTED TO SYRIA FOR TRIAL. THIS WOULD HAVE BEEN POSSIBLE ONLY IF SYRIA WERE ONLY COUNTRY WILLING TO TAKE HIM--WHICH HIS VISAS FOR GUATEMALA, COSTA RICA, VENEZUELA AND THE DOMINICAN REPUBLIC SHOW WAS NOT RPT NOT THE CASE--AND IF HE HAD LOST APPEAL TO BOARD OF IMMIGRATION APPEALS AND POSSIBLE SUBSEQUENT COURT PROCEEDINGS. GIVEN UNCERTAINTY OF OUTCOME OF APPEALS BARBOUR MIGHT HAVE UNDERTAKEN, AND POSSIBILITY THAT BOARD OR COURTS MIGHT HAVE GRANTED HIM INDEFINITE STAY OF DEPORTATION AND ORDERED HIM RELEASED FROM PRISON, WE BELIEVE BARBOUR'S VOLUNTARY DEPARTURE WAS PROBABLY BEST IN LONG RUN FOR U.S.-SYRIAN RELATIONS, EVEN THOUGH SYRIANS MAY NOT BE ENTIRELY SATISFIED OVER HIS NOT HAVING BEEN RETURNED TO THEIR CUSTODY. KISSINGER

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